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HARYANA REAL ESTATE REGULATORY AUTHORITY
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हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

New PWD Rest House, Civil Lines, Gurugram, Haryana

नया पी.डब्ल्यू.डी. विश्राम गृह, सिविल लाईंस, गुरुग्राम, हरियाणा

PROCEEDINGS OF THE DAY		56
Day and Date	Wednesday and 09.08.2023	
Complaint No.	CR/5758/2022 Case titled as Kuldeep Kaur and Chetan Rishi Vs Silver Glades Infrastructure Private Limited	
Complainant	Kuldeep Kaur and Chetan Rishi	
Represented through	Complainant in person with Shri Sanjeev Dhingra, Advocate	
Respondent	Silver Glades Infrastructure Private Limited	
Respondent Represented through	Shri Ashwariya Sinha, Advocate	
Last date of hearing		
Proceeding Recorded by	Naresh Kumari and HR Mehta	

Proceedings

The counsel for the complainant states that they have received reply only two days back but not filed in the registry. Respondent is directed to file the same in the registry of the authority within two days.

Further counsel for the complainant states that the allotment letter of the unit was issued on 5.1.2022 (page 32 of the complaint) in which the sale consideration of the unit was written as Rs. 3,55,00,000/- and it was mentioned in the allotment letter that in case of not paying the instalments in time as per schedule, the total payment to be made by the allottee shall be enhanced to Rs. 3,78,62,500/- whereas as per annexure C, page 69, enclosed with BBA, the total sale consideration is Rs. 3,55,00,000/- and now again a demand was received by the allottee as per page 76 of the complaint, which states that the total sale value of the unit stands revised to Rs. 3,78,62,500/- as per the payment plan opted by you. Whereas as per terms and conditions mentioned in the booking form, page 21 of the complaint, it is clearly mentioned that in case of delay in payment, the interest shall be charged by the respondent from the complainant -allottee as per RERA norms and



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CRS 158/2022

New PWD Rest House, Civil Lines, Gurugram, Haryana

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complainant is ready to pay the instalments alongwith interest as per RERA norms.

Further the counsel for the complainant states that the unit has been cancelled on 1.8.2022 on account of non payment of outstanding dues and till now the complainant has paid Rs. 70,79,985/- against total sale consideration of Rs. 3,55,00,000/-.

Counsel for the respondent states that as per page 20 of the application form itself, TPR is to be allowed on timely payment by customer of each instalment. Further states that as per page 80 of the complaint, which is cancellation of allotment (letter dated 1.8.2022) and which shows that reminders were sent on 30.5.2022 and 10.6.2022 by the respondent to clear their dues. As per page 52, clause 9.3(ii) of the BBA, it is mentioned that in case of default by the allottee for a period beyond 90 days after notice from the promoter, the promoter may cancel the allotment and refund the money after forfeiting the booking amount.

Directions of the authority as per last proceedings dated 5.4.2023 regarding non creation of third party rights shall continue till the date of next hearing.

Part arguments heard.

Both the counsels are directed to file written submissions after supplying a copy to each other within a period of 15 days.

Matter to come up for further arguments on 10.11.2023.

Sanjeev Kumar Arora
Sanjeev Kumar Arora
Member
09.08.2023